

REMARKS

Claims 1-18 are pending in this application.

In paragraph 3 of the outstanding Office Action, the Examiner indicates that drawing changes are no longer being made by the PTO. However, the Examiner has apparently excepted the drawings as indicated on page 1 of the Office Action. Thus, applicant assumes that the formal drawings submitted with the filing of the application have been accepted and that no drawing changes are needed.

Claims 2, 3 and 9-18 stand rejected under 35 U.S.C. § 112, second paragraph. The Examiner objects to the phrase "at least". The objected to phrase has now been deleted. Applicant submits that all of applicant's claims are in full compliance with the provisions of 35 U.S.C. § 112.

Claims 1-5 and 7-10 stand rejected under 35 U.S.C. § 103 as unpatentable over Wellner (6,628,767). Further, claims 6, 15 and 16 stand rejected under 35 U.S.C. § 103 as unpatentable over Wellner in view of Yoshikawa.

The Examiner's rejections are respectfully traversed.

Wellner utilizes the public switched telephone network 25 (see Fig. 1) to interconnect a plurality of telephones (see elements 27 and 65) into a bridge hardware (see element 41) to conduct a conference call between the plurality of telephone users. A conference controller 39 and a bridge interface 43 are also provided. Wellner also discloses utilizing an internet connection in order to permit each user of the telephone to visually determine who is talking at any give time. It is important to understand that the internet is not utilized for voice communication but is only utilized so that the user's web browser may identify which voice (and a appropriate tag associated with the voice, such as a name) is speaking at the current time. Thus, while there are a number of different ways in which the interconnection may be performed, such as the four methods enumerated in column 8 of Wellner (web, then dial-in; dial-in, then web; dial-out, then web; and web, then dial-out), none of these methods involve the use of the internet for telephone (i.e., voice) communication. All of these methods merely specify the order in which the conference call is established vis-à-vis the order in which the internet visual indicator is established utilizing the web browser. In contrast, applicant's


invention specifically recites the utilization of an internet service telephone communication. This communication is established between a calling telephone set and a called telephone set. The calling telephone set, which is a subscriber to a specific ISP network, provides connection point data which is specific to that ISP network to the called party. The connection point data is transmitted via the public network. The called party receives the connection point data via the public network and connects itself to the specific ISP of the calling party in accordance with the connection point data. The calling party also connects itself to the ISP. Thus, the calling and called party are connected for making the internet service telephone communication using the same ISP network.

The above language has been expressly incorporated into applicant's independent claim 1 and similar language has been incorporated into the remaining independent claims. As such, applicant's claimed invention readily distinguishes over Wellner taken either singularly or in combination with Yoshikawa. As indicated above, Wellner does not use the internet for making internet service telephone communications. As indicated in applicant's response, Yoshikawa teaches the interconnection of two terminals over two different ISP networks. Applicant's claim now expressly recites that the same ISP network must be utilized.

In view of the amendments made hereto and the arguments set forth above, it is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

Respectfully submitted,

Date: January 15, 2004


David A. Blumenthal
Reg. No. 26,257

Foley & Lardner
Customer Number: 23392



23392

PATENT TRADEMARK OFFICE
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: 202-672-5300
Facsimile: 202-672-5399